

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Kevin Darrell Smith**

**Docket No. 5:21-CR-62-1M**

**Petition for Action on Supervised Release**

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kevin Darrell Smith, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With the Intent to Distribute 50 Grams or More of Methamphetamine, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and Distribution of a Quantity of a Mixture Containing Methamphetamine, in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Richard E. Myers II, Chief United States District Judge, on January 25, 2023, to the custody of the Bureau of Prisons for a term of 48 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Kevin Darrell Smith was released from custody on July 21, 2023, at which time the term of supervised release commenced.

A Petition for Action on Supervised Release was submitted to the Court after the defendant tested positive for methamphetamine and fentanyl. On December 19, 2024, the Court approved the petition requiring Smith to participate in the Location Monitoring: Radio Frequency curfew program for a period not to exceed 90 days.

A Petition for Action on Supervised Release was submitted to the Court after the defendant tested positive for methamphetamine, cocaine, and morphine. On January 13, 2025, the Court approved the petition requiring Smith to participate in a cognitive behavioral program.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On January 9, 2025, Smith submitted to a urinalysis which tested positive for methamphetamine and amphetamine. When confronted with the results, Smith admitted to using the substances. Smith was reprimanded for the violation conduct and he expressed remorse. Smith recently re-engaged with his treatment provider and continues participating in an approved course of substance abuse treatment. As a result of Smith's violation conduct, it is respectfully recommended that Smith's remaining 62 days in the Location Monitoring: RF curfew program be modified, and he immediately be placed in the home detention program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 62 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ C. Lee Meeks, Jr.  
C. Lee Meeks, Jr.  
Supervising U.S. Probation Officer

/s/ Jay Kellum  
Jay Kellum  
U.S. Probation Officer  
200 Williamsburg Pkwy, Unit 2  
Jacksonville, NC 28546-6762  
Phone: 910-346-5109  
Executed On: January 28, 2025

**ORDER OF THE COURT**

Considered and ordered this 29<sup>th</sup> day of January, 2025, and ordered filed and  
made a part of the records in the above case.

Richard E. Myers II  
Richard E. Myers II  
Chief United States District Judge